

The Government now seeks a bench warrant for defendant's arrest. Dkt. No. 75. The defense opposes. Dkt. No. 76. Essentially, the defense counsel stresses that the defendant is experiencing homelessness and that there is a "strong likelihood" that he has lost

his cell phone and is unaware of these court proceedings. As an alternative to arrest, the defense requests that the Court appoint a defense investigator to assist counsel in locating the defendant and extend an additional 60 days for the defendant to voluntarily appear before the Court.

In light of defense counsel's suggestion, the Court will, for now, deny the Government's application for a bench warrant. However, this is contingent on (1) counsel obtaining the services of an investigator who can give the matter immediate attention, and (2) the Court's approval of the investigator and a budget for payment of the investigator, to be presented to the Court by defense counsel in a written application to be filed no later than next Tuesday, August 11, 2020.

The parties are further directed to call Chambers on September 8, 2020 at 2:00 p.m. to report on whether the defendant has been located. If he has, the Court will set an evidentiary hearing on the pending violations of supervised release. If he has not, the Court will issue the bench warrant.

In the meantime, the conference currently scheduled for August 6, 2020, is adjourned pending further order of the Court.

The Clerk of the Court is directed to close the docket entry 75.

SO ORDERED.

Dated: New York, NY  
August 5, 2020

  
JED S. RAKOFF, U.S.D.J.